

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANTONNE M. JONES,	: Case No. 07 CV 3648 (HB)(KNF)
	:
Plaintiff,	:
	:
v.	: ANSWER
	:
ROC-A-FELLA FILMS, INC., LION'S GATE	:
FILMS, INC., DAMON DASH and SHAWN	:
CARTER,	:
	:
Defendants.	:
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Defendant SHAWN CARTER, responding to the Complaint herein, alleges as follows by his undersigned attorneys on personal knowledge as to himself and on information and belief as to others:

1. Denies the allegations of paragraphs 1, 2, 3, 4, 5, 39, 42, 43, 44, 45, 46, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 101, 102, 103, 104, 105, 106, 107, 109, 110, 111 and 112.

2. Denies knowledge or information sufficient to admit or deny the allegations of paragraphs 7, 8, 9, 10, 13, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 38 and 100.

3. Admits the allegations of paragraph 11, except as to the allegation with respect to Mr. Carter being a "principle" [sic] of Roc-A-Fella Films, Inc., which is too vague to be susceptible of response.

4. Denies knowledge or information sufficient to admit or deny the allegations of paragraphs 12, except admits Carter does business in New York.

5. Paragraph 14 refers to the contents of documents filed with the Copyright Office, which respectively speak for themselves and to which the Court is respectfully referred; the

remainder states legal conclusions as to which no response is required; and to the extent response is required, it is denied.

5. The allegations of paragraphs 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, 77, 79, 81, 83 and 85 refer to the contents of *The Family*, which speak for themselves and to which the Court is respectfully referred. To the extent response is required, they are denied.

6. The allegations of paragraphs 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84 and 86 refer to the contents of *State Property*, which respectively speak for themselves and to which the Court is respectfully referred. To the extent response is required, they are denied.

7. Paragraphs 6, 16, 35, 36, 40 and 41 state legal conclusions and thus require no response. To the extent response is required, they are denied.

8. Paragraphs 33 and 37 refer to the contents of documents filed with the Copyright Office, which respectively speak for themselves and to which the Court is respectfully referred; and are otherwise denied.

9. Incorporate the foregoing allegations in response to paragraphs 87, 93, 99 and 108.

AFFIRMATIVE DEFENSES

1. The complaint fails to state a claim for relief as against Carter.
2. The claims for misappropriation and accounting are pre-empted.
3. Plaintiff's claims are barred by laches, waiver and/or estoppel.
4. On information and belief, *State Property* and *State Property 2* were created independently of plaintiff's alleged work.

WHEREFORE, Carter respectfully requests that judgment be entered in his favor:

- (a) dismissing the Complaint;
- (b) granting Carter his expenses, costs and attorneys fees to the fullest extent permitted by law; and
- (c) granting Carter such other and further relief as may seem to the Court just and proper.

Dated: New York, New York
September 12, 2007

SILLER WILK LLP

By: 

Stuart M. Riback (SMR-2443)

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Attorneys for Defendant Shawn Carter

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTONNE M. JONES,

Plaintiff,

v.

ROC-A-FELLA FILMS, INC., LION'S GATE
FILMS, INC., DAMON DASH and SHAWN
CARTER,

Defendants.

X

: Case No. 07 CV 3648 (HB)(KNF)

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CERTIFICATE OF SERVICE

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X

I hereby certify that on September 12, 2007 I caused to be served by mail, copies of the
attached Answer addressed to the following:

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which is (are) the address(es) designated by such attorney(s) and/or parties for service.


Alero Barrett